

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: Tonja K. Knapp : Case No: 17-53078
Debtor(s) : Chapter 13 Judge: C KATHRYN PRESTON
: 341 Date: June 21, 2017

CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income _____ Below median income X

X **11 U.S.C. §1325(a)(1)**-Plan does not comply with all provisions of Chapter 13 of Title 11 and the other applicable provisions of Title 11:

X Plan takes over 60 months to complete. **@ 91 months (mortgage arrears higher than scheduled and debt not disclosed filed as secured).**

X Other: **Clarify basis Plan 5.2.1 provides treatment for liens, appears to be insufficient equity for City of Circleville and State of Ohio liens to attach to pending receipt of a conventional appraisal. Nuvel Credit Company filed a secured proof of claim lien to 2005 Chevrolet; however, Schedules do not appear to reflect debt, asset and Plan silent as to treatment.**

X Trustee is unable to accurately determine best interest as Debtor(s) have failed to provide an acceptable appraisal, pursuant to LBR 3015-3(e)(3). **Provide a Conventional Appraisal of real property.**

X **11 U.S.C. §1325(a)(6)**-Plan is not feasible based on income, living expenses, and plan payments.

X Other: **Pay advices provided appear to differ from Schedule I as to tax deductions.**

X **11 U.S.C. Section 1326(a)(1)**-Debtor(s) have failed to tender the following pre-confirmation payments not later than 30 days from the filing of the plan or petition (whichever is earlier): **Debtor failed to tender remaining balance of the 1st plan payment = \$338.48 (2nd plan payment due 07/12/17).**

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for August 03, 2017, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

TERMS OF THE PLAN:

Plan Payments: \$1100.00/REM

Best Interest Dividend: 0% Dividend: 1%

Length: 91 Months

Dated: June 28, 2017

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees
Chapter 13 Trustee
130 East Wilson Bridge Road #200
Worthington, Ohio 43085
(614) 436-6700
trustee@ch13.org

CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: June 28, 2017

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300